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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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THEODORE VAN LEER, an individual;
CAROLINE VAN LEER, an individual;
ANNE M. BLANKEN, an individual; and
ANNE M. BLANKEN, as Trustee of the
CREDIT SHELTER SHARE TRUST,
Plaintiffs,

Docket No.: 2:15-CV-01878-MCA-MAH

v.

INVICTUS ASSET MANAGEMENT LLC, *et al.*,
Defendants.

-----X

**PLAINTIFFS' NOTICE OF WITHDRAWAL OF AMENDED COMPLAINT
WITHOUT PREJUDICE**

Plaintiffs, THEODORE VAN LEER, an individual; CAROLINE VAN LEER, an individual; ANNE M. BLANKEN, an individual; and ANNE M. BLANKEN, as Trustee of the CREDIT SHELTER SHARE TRUST (collectively "Plaintiffs"), by and through undersigned counsel, hereby serve notice that -- based solely upon procedural concerns raised by the Court during the February 5, 2016 telephonic Status Conference convened by the Court [Docket Entry Nos. ("DE") 36, 38, 39] -- they are withdrawing the Amended Complaint filed in this matter [DE 37] without prejudice to Plaintiffs' right to pursue, in this or a separately-filed matter, the claims set forth in that Amended Complaint.

THIS WITHDRAWAL IS IN NO WAY TO BE DEEMED A VOLUNTARY DISMISSAL OF PLAINTIFFS' CLAIMS UNDER FED.R.CIV.P. 41, nor is it a waiver of Plaintiffs' right to pursue, in this or a separately-filed matter, the claims set forth in that Amended Complaint. This matter shall remain open and shall proceed under the claims set forth in the original Complaint [DE 1] unless and until a judgment is entered thereon or unless an Amended Complaint is filed pursuant to Fed.R.Civ.P. 15 or Court Order.

Respectfully submitted,

THE BRAUNSTEIN LAW FIRM, PLLC

By: /s/ Michael L. Braunstein

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- and -

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was electronically filed with the Clerk of Court on this 15th day of February 2016 by using the CM/ECF system which will send a notice of electronic filing to the following CM/ECF participant(s): **DENNIS F. GLEASON, ESQ.**, Jardim, Meisner & Susser, P.C., *Counsel for Defendants, Invictus Real Estate Investment, LLP, Tradedesk Financial Group, Inc., Tradestream Analytics, Ltd., David W. Schamens, and Piliana Schamens*, 30B Vreeland Road - Suite 201, Florham Park, New Jersey 07932; and **GLENN R. REISER, ESQ.**, LoFaro & Reiser, LLP, *Counsel for Defendant, Phillips Wiegand Jr.*, 20 Court Street, Hackensack, New Jersey 07601.

/s/ Michael L. Braunstein

MICHAEL L. BRAUNSTEIN